

## **MINUTES**

### **UTAH Massage Therapy Licensing Board MEETING**

**July 17, 2007**

**Room 475 – 4<sup>th</sup> Floor – 9:00 a.m.  
Heber Wells Building  
Salt Lake City, UT 84111**

**CONVENED:** 9:03 a.m.

**ADJOURNED:** 11:44 a.m.

**Bureau Manager:**  
**Board Secretary:**

Clyde Ormond  
Jacky Adams

**Board Members Present:**

Craig Sauer - Chairperson  
Richard Engar  
Ruth Werner  
Jennifer Pruetz

**Board Members Absent:**

**Guests:**

Rogers Olbrot, AMTA (American Massage Therapy Association)  
Geon Lee, Utah Career College  
Craig Anderson, Ogden Institute of Massage Therapy

**DOPL Staff Present:**

F David Stanley

#### **TOPICS FOR DISCUSSION**

#### **DECISIONS AND RECOMMENDATIONS**

#### **ADMINISTRATIVE BUSINESS: MINUTES:**

Mr. Engar seconded by Ms. Pruetz made a motion to approve the minutes from the May 15, 2007 meeting, the motion carried unanimously.

Elect a new Chairperson

Ms. Werner seconded by Ms. Pruetz made a motion to elect Mr. Sauer as the Chairperson for the upcoming year, the motion carried unanimously.

#### **APPOINTMENTS: 9:15 a.m. Cox, Sherri**

Ms. Cox appeared for her scheduled probationary interview with the Board, and submitted her required "Self Reporting" form. The Division received proof of Ms. Cox completing 30-hours of Continuing Education – in ethical standards, as required by her Stipulation and Order on May 29, 2007. Mr. Ormond questioned Ms. Cox if she felt that the Continuing Education hours were helpful. Ms. Cox commented that she felt that the entire profession could

benefit from this type of training.

Ms. Pruetz seconded by Mr. Engar made a motion to amend Ms. Cox's MOU (Memorandum of Understanding) to require her to appear before the Board only once every six-month's, the motion carried unanimously.

9:30 a.m. Olsen, Kristi

Ms. Olsen appeared for her scheduled probation interview with the Board. A positive "Employer Report" was received from Ms. Olsen's supervisor Terri Holbrook of Knead a Massage.

It was determined that Ms. Olsen is in compliance with her MOU, she will meet again with the Board on November 20, 2007 at 9:30 a.m.

9:45 a.m. Wagner, Michael

Mr. Wagner appeared for his scheduled appointment with the Board, to review his application for licensure as a Massage Therapist. Mr. Ormond explained that Mr. Wagner was charged on:

- June 12, 2004, with Minor in Consumption of Alcohol, a Misdemeanor; and
- Driving under the Influence, a Misdemeanor, which was later dismissed.

Mr. Wagner also admitted to several other Minor in Consumption/Possession of Alcohol between 2004 and 2006. After an extensive discussion Ms. Werner seconded by Mr. Engar made a motion to approve Mr. Wagner's license as a Massage Therapist based the fact that all of Mr. Wagner's charges occurred when he was a minor, the motion carried unanimously.

10:00 a.m. Pendleton, Tamara

Ms. Pendleton appeared for her scheduled appointment with the Board to review her application for licensure as a Massage Apprentice, and to obtain approval of her supervisor, Ms. Stoker's, curriculum.

Ms. Werner reviewed Ms. Stoker's apprenticeship curriculum commenting that because of the text books used, it was hard to determine the total number of Pathology hours. Ms. Pruetz suggested for Ms. Pendleton to use different textbooks, and suggested a contract be written between Ms. Pendleton and Ms. Stoker to protect both parties.

Mr. Engar seconded by Ms. Werner made a motion to approve Ms. Pendleton's application for licensure, with Ms. Stoker as her supervisor.

Ms. Smith appeared for her scheduled probationary appointment with the Board. Ms. Smith submitted a positive "Employer Report" from her supervisor, Robert Bezzant, of Tangles.

Ms. Smith requested an early release from her probation, based on her continued compliance of her current MOU. Ms. Werner commented that she did not feel that Ms. Smith was ready to be released at this point.

Ms. Werner seconded by Ms. Pruetz made a motion to require Ms. Smith to appear at the January 15, 2008 meeting with a letter requesting an early release from this probation, what she has learned from this process, how being on probation has changed how she practices Massage Therapy and a separate letter explaining how she would supervise an apprentice of her own, the motion carried unanimously.

10:30 a.m. Golovcenko, Viktorija

Ms. Golovcenko appeared with her supervisor, Irina Fedorenko. Mr. Ormond reviewed Ms. Golovcenko's application and explained that she had pled guilty to Driving Under the Influence of Alc/Drugs, a Misdemeanor B, on November 17, 2003. After a brief discussion it was determined that based on the age of the charge, it is not an issue.

Ms. Werner and Ms. Pruetz reviewed Ms. Fedorenko's curriculum, and determined that it met the requirements of R156-47b-302c (5). Mr. Sauer suggested for Ms. Fedorenko to use different textbooks, and suggested a contract be written between Ms. Golovcenko and Ms. Fedorenko, to protect both parties.

Ms. Pruetz seconded by Mr. Engar made a motion to approve Ms. Fedorenko's curriculum, the motion carried unanimously.

10:45 a.m. Aminova, Dina

Ms. Aminova appeared with her supervisor Ms. Borisova. Mr. Ormond reviewed Ms. Aminova's application for licensure as a Massage Apprentice. Ms. Aminova pled guilty to DUI on August 7, 2006. The Board determined that based on all requirements of the above change being completed; the charge was not an issue.

Mr. Engar seconded by Ms. Werner made a motion to approve Ms. Borisova's curriculum, the motion carried unanimously.

#### **DISCUSSION ITEMS:**

Suggested Resource List for the Theory Exam

Reviewed, with no further action taken

Mr. Ormond explained that FSMTB (Federation of State Massage Therapy Boards) had completed their examination and a pilot exam was being given, between July 24<sup>th</sup> and August 7<sup>th</sup>, 2007. Mr. Olbrot added that the fee to take the pilot exam is \$125.00.

Mr. Ormond questioned if the Board still wanted to discontinue the Utah Massage Theory exam, and replace it with the FSMTB exam. Or if they wanted to re-write the Utah Massage Theory exam to make it equal to the NCETMB (National Certification Examination of Therapeutic Massage and Bodywork) and the FSMTB exams.

After brief discussion it was determined that more information was needed prior to making this decision.

Ms. Werner volunteered to contact FSMTB to determine:

- 1) If their educational requirements are equal to the NCETMB;
- 2) How they determine that a applicant meets their educational requirements;
- 3) If an applicant who has completed an apprenticeship is eligible to take their exam.
- 4) And to request a list of text books used on the exam.

The discussion was then tabled until the next meeting on September 18, 2007.

#### Rule on Supervisor and Supervising

Mr. Stanley addressed the Board explaining that the Legislative Review Committee felt that there was no conformity in how any of the Divisions professions define "Supervision". Mr. Stanley is proposing adding a section to R156-1 which will primarily define three levels of Supervision; Direct Supervision, Indirect Supervision, and General Supervision. Mr. Stanley then asked the Board to review his suggests and notify the Division if they wished to incorporate all, part, or none of Mr. Stanley's suggestions, by October 2007.

After a brief discussion Ms. Werner seconded by Ms. Pruetz made a motion to keep the current definition of "Direct Supervision" for apprenticeships, the motion carried unanimously.

Mr. Engar seconded by Ms. Werner then made a motion to adopt the proposed changes for MOU's and Stipulations and Orders only, the motion carried unanimously.

#### **CORRESPONDENCE:** COMTA Alerts

Reviewed, with no further action taken

Reviewed, with no further action taken

Reviewed, with no further action taken

Reviewed, with no further action taken

A teleconference was conducted by NCBTMB on June 12<sup>th</sup>, 2007. NCBTMB is trying to initiate a data bank that all State Boards could contribute to. The data bank would allow disciplinary actions given by one State Board to be shared with other State Boards. Mr. Ormond explained that the Division currently participates in a similar data bank for medical professions; he will contact Ms. Higgs to determine if Massage Therapy is included in the data bank.

Ms. Pruetz seconded by Ms. Werner made a motion adjourn the meeting, the motion carried unanimously.

*Note: These minutes are not intended to be a verbatim transcript but are intended to record the significant features of the business conducted in this meeting. Discussed items are not necessarily shown in the chronological order they occurred.*

September 18, 2007

(ss) Craig M Sauer

Date Approved

Chairperson, Massage Therapy Licensing Board

September 18, 2007

(ss) Clyde Ormond

Date Approved

Bureau Manager, Division of Occupational & Professional Licensing